

**ST. MARY'S COUNTY  
BOARD OF COUNTY COMMISSIONERS' MEETING  
Governmental Center  
Tuesday, January 30, 2001**

**Present:** Commissioner President Julie B. Randall  
Commissioner Joseph F. Anderson  
Commissioner Shelby P. Guazzo  
Commissioner Thomas A. Mattingly, Sr.  
Commissioner Daniel H. Raley  
Alfred A. Lacer, County Administrator  
Judith A. Spalding, Adm. Asst. to Board of County Commissioners (Recorder)  
Kate Mauck, Recorder

*(Commissioners Randall and Guazzo were not present at the beginning of the meeting.)*

**CALL TO ORDER**

The meeting was called to order at 10:10 a.m.

**ADDITIONS/DELETIONS TO AGENDA**

**Commissioner Raley moved, seconded by Commissioner Anderson, to accept the agenda as amended (to add discussion at 2 p.m. on a legislative proposal being submitted by our legislative delegation). Motion carried.**

**APPROVAL OF CHECK REGISTER**

**Commissioner Anderson moved, seconded by Commissioner Raley, to authorize Commissioner President Randall to sign the Check Register. Motion carried.**

**APPROVAL OF MINUTES**

Approval of Minutes for January 23, 2001 was deferred until next week.

**PROCLAMATION  
NATIONAL CONGENITAL HEART DEFECT MONTH**

The Commissioners issued a Proclamation designating the Month of February as Congenital Heart Defect Month in St. Mary's County.

**COUNTY ADMINISTRATOR**

**Present:** Alfred A. Lacer, County Administrator

1. Draft Agendas for February 6 and 13, 2001

*(Commissioner Randall entered the meeting.)*

2. Selection of Vice-President of Board of County Commissioners

**Commissioner Raley moved, seconded by Commissioner Mattingly, to select Shelby Guazzo as the Vice-President for the calendar year 2001. Motion carried.**

3. Economic and Community Development (Patuxent Partnership)  
Maryland Economic Development Assistance Authority and Fund (MEDAAF)  
Grant Agreement  
(Federal - \$75,000; County - \$2,500)

**Present:** Nancy Hutson, Acting Director



**Commissioner Anderson moved, seconded by Commissioner Mattingly, to approve and authorize Commissioner Randall to sign the Grant Agreement. Motion carried.**

4. Department of Recreation and Parks

Present: Phil Rollins, Director

- a. Deed for Lots 8-22 of the "Point Blackistone Subdivision"  
(St. Clement's Museum)

(property will be used to expand parking area, and used for events at the site)

**Commissioner Mattingly moved, seconded by Commissioner Anderson, to approve and authorize Commissioner Randall to sign the Deed. Motion carried.**

- b. Memorandum of Agreement between LMB and R&P  
(After School Opportunity Fund)

Also present: Art Shepherd  
Jean Valentine  
Carolyn Hall

Commissioner Randall requested a comparison of other teen drop-in programs, and learning that that one did not exist at Chancellors Run, the Board expressed an need for such a center within the Lexington Park area. Other areas of discussion included transportation for participants; school's policy for transportation for after-school programs.

Commissioner Randall requested that the Department of Recreation and Parks get back on the agenda along with the school's transportation department to discuss the transportation issues.

**After discussion Commissioner Mattingly moved, seconded by Commissioner Anderson, to approve and authorize Commissioner Randall to sign the Memorandum of Agreement as presented. Motion carried.**

5. Department of Human Resources  
Modification to Manual of Personnel Policies and Procedures  
Direct Hire Authority (Chapter 2, Paragraph. 0203)

Present: Melvin McClintock, Director  
Nancy Hutson, Acting Director, DECD

*(Commissioner Guazzo entered the meeting.)*

Request to change the Personnel Manual to allow the County Administrator to have "Direct Hire Authority" without competition, in conjunction with the agreement between the Community Development Corporation (CDC) and the Board of County Commissioners. It will be used to effect direct hires of individuals in the CDC's Job Skills Enhancement Program.

**Commissioner Anderson moved, seconded by Commissioner Mattingly, to approve the modification to the Personnel Manual as requested. Motion carried three to two with Commissioners Guazzo and Raley voting against stating they were concerned about having "direct hire" rather than using the competitive hiring process.**



6. Department of Public Works (*George Erichsen*)  
Resolutions for BOCC approval/signature:

a. **Hilton Ridge Subdivision**

- Adoption of Hilton Ridge Drive, County Route 31309, Renaissance Court, County Route 31310, and Mirage Court, County Route 31311, located in the Hilton Ridge Subdivision, Section 1, 8<sup>th</sup> Election District.
- Speed Limit (25 mph) for Hilton Ridge Drive, Renaissance Court and Mirage Court.
- Stop Signs for Hilton Ridge Drive, Renaissance Court and Mirage Court.

b. **Rustic Hills Subdivision**

- Adoption of Cheryl Court, County Route 31302, located in the Rustic Hills Subdivision, Section 4, 5<sup>th</sup> Election District.
- Speed Limit (25 mph) for Cheryl Court.
- Stop sign for Cheryl Court.

c. **Willowbrook Subdivision**

- Adoption of Bateman Court, County Route 31306, Spriggs Court, County Route 31307, and Read Court, County Route 31308, located in the Willowbrook Subdivision, 6<sup>th</sup> Election District.
- Speed Limit (25 mph) for Bateman Court, Spriggs Court, and Read Court.
- Stop signs for Bateman Court, Spriggs Court and Read Court.

**Commissioner Guazzo moved, seconded by Commissioner Mattingly, to approve and sign the referenced DPW documents as presented. Motion carried**

d. **Mayfaire Subdivision**

- Adoption of Mattapani Boulevard, County Route 31304, located in the Mayfaire Subdivision, 8<sup>th</sup> Election District.
- Speed Limit (25 mph) for Mattapani Boulevard.
- (Stop sign not required, as this is an extension to Mattapani Boulevard).

The Commissioners discussed the issue of using the name *Mattapani Boulevard* because of the historic significance of *Mattapany Road* in St. Mary's City; that even though it is spelled differently, both roads are pronounced the same.

The Commissioners directed staff to prepare correspondence to the Historic Preservation Commission to determine if there were other roads with historic significance that were in the same situation (spelled differently, but pronounced the same or similarly); and to take necessary steps to initiate name change process for Mattapani Boulevard.

**Commissioner Mattingly moved, seconded by Commissioner Anderson, to approve and sign the DPW documents for Mayfaire Subdivision, as presented. Motion carried.**

*Kate Mauck recorded the following portion of the minutes:*

**PUBLIC HEARING  
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM  
LEXINGTON PARK MASTER PLAN**

Present: Robin Finnacom, Director, Lexington Park Revitalization Plan  
Alfred A. Lacer, County Administrator

Commissioner President Randall opened the public hearing concerning the CDBG Application. Mr. Lacer read the notice of public hearing, which was properly advertised on January 17 and 24, 2001. Ms. Finnacom stated that the public hearing was being held in order to accept public comment on the CDBG Application for the demolition of vacant and uninhabitable dwelling units at Lexington Manor. Details of the application are as follows:



- ◆ Grant request is for \$597,661
- ◆ 72 buildings (144 units) to be demolished
- ◆ All 72 of the buildings are vacant and uninhabitable
- ◆ If grant request is approved, later action would be required by the Board of County Commissioners to accept the funding
- ◆ Funds would be placed under the purview of the Department of Facilities Management
- ◆ February 1<sup>st</sup> deadline for application
- ◆ Resolution prepared which outlines intent of Board of County Commissioners to support the application for grant funding request
- ◆ 10-day open comment period necessary prior to final approval of application
- ◆ Two resolutions to be prepared after completion of 10-day period – one confirming the prior submission of application and one withdrawing the application should the Board decide not to participate.

The following individuals spoke:

**Ms. Lori Mellott** – resident of Lexington Manor. Asked several questions concerning the number of buildings to be demolished and expressed concern that the tenants were ill informed of the process. Asked that the County remember the citizens that live there. *Commissioner President Randall directed that Ms. Finnacom meet with Ms. Mellott after the meeting for review of the written documentation in order to help alleviate concerns. Also, Ms. Finnacom was directed to facilitate a meeting between Ms. Mellott and the Office of Community Services.*

**Ms. Clare Whitbeck** – thanked Commissioner for the attention given to the Lexington Park Master Plan. Expressed concern for the lovely cherry trees in Lexington Manor. Asked that preservation of the beautiful things in Lexington Manor be protected during demolition efforts.

**Ms. Lynda Andrus** – Understood that this effort was called Phase 1, but what other Phases will there be? Commissioners stated that no other phases were planned. Also, all existing buildings, concrete, etc. at the location of the 72 building would be removed, and the ground would then be leveled and re-seeded. The County has no control over what would go in its place after the demolition effort has been completed, as it is private property, and must then go through normal County approval processes. *Ms. Finnacom was directed to meet with Ms. Antes also after the end of the meeting.*

**Ms. Tammy Vitale** – Lexington Park Focus Group (and resident of Lusby, Maryland) – applauded work done in Lexington Park, but expressed concern that the tenants in Lexington Manor have not been included in the process and have had no part in the decision making process. Also concerned that due to AICUZ, any new buildings placed on the property will be more expensive than the tenants could possibly afford.

Commissioner President Randall closed the public hearing. The record will remain open for ten days in order to accept any written public comment.

**Commissioner Guazzo moved, seconded by Commissioner Mattingly, to approve and sign the Resolution of Support. All voted in favor.**

*The matter is to be placed on the February 13<sup>th</sup> agenda for discussion/decision. Two resolutions are to be prepared and ready for signature at that time – one in confirmation and one to withdraw the application, depending upon the result of the vote on the application.*



**ST. MARY'S COUNTY GOVERNMENT  
UNITED WAY PRESENTATION**

Present: Lt. "Rusty" Malone, President, Employees Association  
Joyce Malone, United Way Fundraising Committee

Lt. and Ms. Malone appeared before the Board of County Commissioners to provide information on the United Way effort in St. Mary's County. Ms. Malone outlined upcoming events to try to raise contributions. All agencies that can be supported are outlined in a brochure, and that brochure would be available throughout all County departments for review. Payroll deductions end tomorrow; however, some employees donate directly. A raffle to support United Way ends tomorrow at noon, and the drawing for Judy Spalding's famous rum cake would occur at 2:00 p.m. A bake sale has also been scheduled in February to assist in the raising of funds for the United Way.

**DEPARTMENT OF HUMAN RESOURCES  
INTRODUCTION OF NEW EMPLOYEES**

Present: Melvin McClintock, Director of Human Resources  
Dawn Drew, Deputy Director of Human Resources

A number of new County employees, hired within the past year, were introduced to the Board of County Commissioners. Departments represented were:

- |                                |                           |
|--------------------------------|---------------------------|
| ◆ Finance                      | ◆ Treasurer               |
| ◆ Marcey House                 | ◆ Human Resources         |
| ◆ Office on Aging              | ◆ Recreation and Parks    |
| ◆ Office of Community Services | ◆ Office of the Sheriff   |
| ◆ Planning and Zoning          | ◆ Permits and Inspections |
| ◆ Circuit Court                |                           |

**SINGER STUDY CLASSIFICATIONS  
ADMINISTRATIVE APPEALS  
DISCUSSION/DECISION**

Present: Alfred A. Lacer, County Administrator

Mr. Lacer provided background information pertaining to the Singer Classification Study. The implementation of the Singer Group Classification Study occurred system wide on October 1, 2000. The two following levels of review had been created for due process and full consideration for all County employees that applied:

- 1) By the Singer Group prior to the October 1<sup>st</sup> implementation – approximately 120 employees utilized an appeal process and approximately 50 were reclassified as a result; and
- 2) The Board of County Commissioners implemented an Employee Review Process after the October 1<sup>st</sup> implementation – a team was established by the County Administrator to review over 160 appeals that were filed.

A list of the requests for appeals, along with other pertinent information, were submitted to the Board of County Commissioners. Mr. Lacer stated that he would recommend that any step increases decided upon be retroactive to the October 1<sup>st</sup> date. It was determined that time in Executive Session would be necessary in order to discuss specific individuals on the list.

**EXECUTIVE SESSION**

**Commissioner Raley moved, seconded by Commissioner Mattingly, to meet in Executive Session to discuss matters of Personnel, as provided for in Article 24, Section 4-210(a)1. Motion carried.**

*Judith Spalding recorded the following portion of the minutes:*



**Personnel**

**Present:** Commissioner President Julie B. Randall  
Commissioner Joseph F. Anderson  
Commissioner Shelby P. Guazzo  
Commissioner Thomas A. Mattingly, Sr.  
Commissioner Daniel H. Raley  
Alfred A. Lacer, County Administrator  
Melvin McClintock, Director, DHR  
Dawn Drew, Deputy Director, DHR  
Judith A. Spalding, Recorder

**Authority:** Article 24, Section 4-210(a)1

**Time Held:** 2:02 p.m. – 2:26 p.m.

**Action Taken:** The Commissioners discussed individual administrative appeals and agreed to take action in open session.

**Continuation of Administrative Appeals Discussion**

Areas of discussion included: those employees whose wages are frozen, and through misunderstandings, did not know they would not receive a cost-of-living increase until they opened their paychecks; that this matter was not handled properly; and whether the COLA's should be granted this year and the subject taken up at a later time; expressions of appreciation to the County Administrator and other staff for all the work that went into the reviews and to the employees for their patience in waiting for the results; the fact that the County provided two additional steps for appeals

**After discussion Commissioner Mattingly moved, seconded by Commissioner Anderson, to adopt the staff's recommendations regarding classifications with modifications as discussed in Executive Session. Motion carried.**

*Kate Mauck recorded the following portion of the minutes:*

**DEBT AUTHORITY  
DIRECTOR OF FINANCE**

**Present:** Elaine Kramer, Director of Finance

Ms. Kramer appeared before the Board of County Commissioners as a follow-up to a previous presentation concerning debt authority being given to St. Mary's County Government. Items outlined are as follows:

- ◆ Reductions and deferrals made to the 1-22-2001 Capital Improvement Plan draft (itemized schedule included)
- ◆ Capital Projects proposed for bond funding schedule
- ◆ Request for legislative authority for County projects in the amount of \$20 million to cover the needs of both FY02 and FY03
- ◆ Request for legislative authority for St. Mary's Hospital Project in the amount of \$20 million, based upon the Hospital's request
- ◆ Drafting of letter to be submitted to the Delegation after approval
- ◆ The authorization of debt would not incur the debt; however, it would allow the County to incur the debt based on existing cash flow needs at the time

The Board of County Commissioners directed that the draft letter be changed prior to sending to highlight the reduction from \$27.5M in bond financing to \$20M and that the authority requested is to cover FY 02 and FY 03 needs.

**Commissioner Anderson moved, seconded by Commissioner Mattingly, to approve and sign the modified letter requesting legislative authority for County projects for \$20 million to cover needs for FY02 and FY03. All voted in favor.**



Discussion took place concerning the Hospital's request for \$20 million. Detailed information had been submitted previously to the Board of County Commissioners concerning this request. Concern was expressed relating to an office building being part of the Hospital Master Plan. It would be preferable for this office building to be built by the private sector.

**Commissioner Raley moved, seconded by Commissioner Anderson, to approve the request for legislative authority for St. Mary's Hospital to incur debt in the amount of \$20 million. All voted in favor.**

Ms. Kramer was directed to modify the letter in order that it might be signed and sent to the Delegation immediately.

#### **BUILDING IMPACT FEE – EXEMPTION**

Present: Alfred A. Lacer, County Administrator  
John Norris, Assistant County Attorney

Mr. Lacer and Mr. Norris outlined information concerning a Draft Bill LR 2374 entitled *St. Mary's County – Building Impact Fee – Exemption* that had recently been received. The Board of County Commissioners had approved a change in the impact fee to \$4,500 several months ago and additionally approved two exemptions from the impact fee.

The Board of County Commissioners expressed surprise and concern that a Bill would be introduced concerning these changes and in the setting of impact fees for St. Mary's County. Difficulties that could occur as a result of passage of this bill were discussed.

**Commissioner Raley moved, seconded by Commissioner Mattingly, to direct staff to send a letter to our Delegation from the Board of County Commissioners officially requesting that they not submit the Draft Bill LR 2374, but that they submit legislation as was previously requested giving the St. Mary's County Board of County Commissioners the general authority to grant exemptions, and further to include the Commissioners' sentiments expressed in today's meeting. The letter should be prepared for the full Board's signatures and should be prepared and sent out immediately. All voted in favor.**

#### **SOUTHERN MARYLAND WOOD TREATMENT PLANT LETTER OF INTENT**

Present: John Norris, Assistant County Attorney  
Joan Lolcama, Real Property Manager

Ms. Lolcama, along with Mr. Norris, presented information concerning the Southern Maryland Wood Treatment Site in Hollywood, Maryland. The Maryland Department of the Environment and the United States Environmental Protection Agency had accomplished their mutual goal of remediating this site to "residential" standards. These two agencies will be requiring public ownership of the cleaned-up site. Staff presented a letter of interest from St. Mary's County concerning ownership of the site to the Commissioners for discussion and a decision.

Discussion took place concerning waivers of liability and background information concerning the site. Concern was expressed regarding the clean-up of the entire site should the County be granted the property. Mr. Norris stated that, should the County be granted the property, extensive work would ensue in order to properly investigate the site as well as researching the documentation prior to acceptance by St. Mary's County. The letter presented today would simply be a letter of interest and would not commit St. Mary's County to accept the site.



**Commissioner Anderson moved, seconded by Commissioner Guazzo, to approve and sign the letter expressing interest in the Southern Maryland Wood Treatment Site. All voted in favor.**

**ULDC WORK SESSION  
FOLLOW UP TO 12/19/00 STAFF PRESENTATION**

**Present: Jon Grimm, Director of Planning and Zoning**

The Board of County Commissioners conducted a Work Session regarding the Unified Land Development Code.

**EXECUTIVE SESSIONS**

**Commissioner Mattingly moved, seconded by Commissioner Anderson, to meet in Executive Session to discuss matters of Property Acquisition, and Litigation, as provided for in Article 24, Section 4-210(a)11 and 4-210(a)8, respectively. Motion carried.**

**Litigation**

**Present:** Commissioner President Julie B. Randall  
Commissioner Joseph F. Anderson  
Commissioner Shelby P. Guazzo  
Commissioner Thomas A. Mattingly, Sr.  
Commissioner Daniel H. Raley  
Alfred A. Lacer, County Administrator  
Patrick Murphy, County Attorney  
Jon Grimm, Director, DPZ (*attended from 6:50 p.m. – 7:20 p.m.*)  
Judith A. Spalding, Recorder

**Authority:** Article 24, Section 4-210(a)11

**Time Held:** 6:25 p. m. – 7:20 p.m.

**Action Taken:** The Commissioners discussed two matters of litigation and gave direction to staff.

**Property Acquisition**

**Present:** Commissioner President Julie B. Randall  
Commissioner Joseph F. Anderson  
Commissioner Shelby P. Guazzo  
Commissioner Thomas A. Mattingly, Sr.  
Commissioner Daniel H. Raley  
Alfred A. Lacer, County Administrator  
Patrick Murphy, County Attorney  
Judith A. Spalding, Recorder

**Authority:** Article 24, Section 4-210(a)11

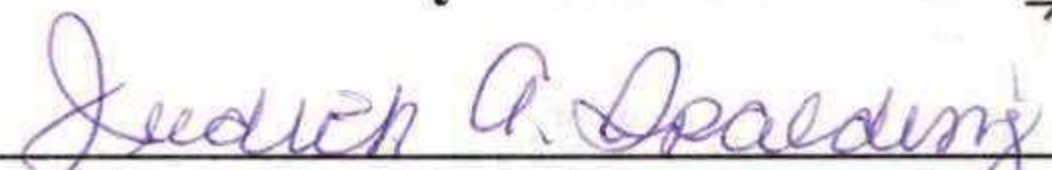
**Time Held:** 7:20 p. m. – 7:45 p.m.

**Action Taken:** The Commissioners discussed several property acquisition matters

**ADJOURNMENT**

The meeting adjourned at 7:45 p.m.

**Minutes Approved by the  
Board of County Commissioners on 2/6/01**

  
\_\_\_\_\_  
**Judith A. Spalding, Administrative Assistant  
to the Board of County Commissioners**